

**REGULAR WHITEWOOD COUNCIL MEETING****April 21, 2025**

The Whitewood City Council met in regular session on Monday the 21<sup>st</sup> of April 2025 at City Hall. Mayor Mitch Harmon called the meeting to order at 5:30 pm, with Council members Roxie Cooper, Jeremy Noren, Jerry Davidson, Sara Fitzgerald, Randy Wiege, and Monica Burke present. Attorney Fitzgerald, Police Chief Bach, Building Official Smit, Public Works Werlinger and Finance Officer Heckenlaible were also present.

**Action 2025-046**

Motion by Wiege, seconded by Burke, to approve the minutes from the regular meeting on April 7, 2025, with amendment. All members present voting yes, motion carried.

**Action 2025-047**

Motion by Noren,, seconded by Burke, to approve the claims as presented. Roll call, all members present voting yes, motion carried.

**CLAIMS- APRIL 21, 2025****GENERAL LEDGER**

DELTA DENTAL- Employee Dental Insurance	633.40
HEALTH POOL OF SD- Employee Health Insurance	7,362.74
UNITED HEALTH CARE- Employee Life Insurance	29.16
<b>TOTAL</b>	<b>\$8,025.30</b>

**GENERAL FUND**

A&B BUSINESS SOLUTIONS- Police	59.99
ALL NET CONNECTIONS- Server Maintenance	91.00
AMAZON CAPITAL- Hale Hall	215.59
BH PIONEER- Legal Publications	269.82
BH ENERGY-HH 207.81,CH 98.64,Police 181.95,Shop 197.22,Parks 121.53,Lights 1092.76	1,899.91
BLUEPEAK- City Hall 468.50, Police 371.54	840.04
CAROLYN HARKINS- Riley Deposition	386.80
DONNA SCHOON- Election	190.00
DOROTHY MARTIAN- Election	190.00
FORD CREDIT- F-350 Payment	1,237.44
JAN TAYLOR- Election	210.00
KETEL THORSTENSON- 2024 Audit Billing	14,500.00
MONTANA DAKOTA- City Hall 90.12, Hale Hall 183.81, Shop 161.46, Police 147.89	583.28
SOUTHERN GLAZERS- April Liquor	2,226.70
SOUTHSIDE OIL- PW Fuel	602.36
STURGIS AUTO PARTS- Police	14.95
SUNDANCE STATE BANK- Riley TIF	2,815.44
MENARDS- Hale Hall	6.47
REPUBLIC NATIONAL- April Liquor	5,408.45
<b>TOTAL</b>	<b>\$31,748.24</b>

**LIBRARY**

AMAZON CAPITAL	75.81
BH ENERGY	110.87
BLUEPEAK	205.48

MONTANA DAKOTA	29.72
<b>TOTAL</b>	<b>\$421.88</b>

**WATER/SEWER FUNDS**

ADVANCED ENGINEERING- Treatment Plant Upgrade	15,592.23
BH ENERGY	1,911.18
MIDCONTINENT TESTING LABS	786.75
MONTANA DAKOTA- Generator 60.64, Booster Station 55.80	116.44
ONE CALL	7.35
SOUTHSIDE OIL- PW Fuel	602.39
CHAIN SAW CENTER- Mini Ex Rental	1,035.00
HAWKINS CHEMICAL	764.14
<b>TOTAL</b>	<b>\$20,815.48</b>

**AUTOMATIC PAYMENTS**

USDA RURAL DEVELOPMENT- Storm Sewer	1,226.50
USDA RURAL DEVELOPMENT- Laurel Stret Project	3,254.00
EFTPS- Payroll Taxes 04/04/25	4,976.28
EFTPS- Payroll Taxes 04/18/25	4,500.48
<b>TOTAL</b>	<b>\$13,957.26</b>

At 5:30 PM, Mayor Harmon opened the Public Hearing for the petition to vacate a portion of Custer Street. With no objections from those in attendance and only a few questions about drainage. Mayor Harmon closed the public hearing.

Action 2025-048

Motion by Wiege, seconded by Davidson, to approve the following resolution. All members present voting yes, motion carried.

**RESOLUTION 2025-01**

**RESOLUTION VACATING A PORTION OF CUSTER STREET**

WHEREAS, Dan and Debra Schmidt, and Ron and Melita Bohnet have presented to the Common Council of the City of Whitewood pursuant to SDCL 9-45-7, a petition requesting vacation of a portion of Custer Street within the City of Whitewood, Lawrence County, South Dakota and

WHEREAS, the foregoing are all of the adjacent land owners to that portion of Custer Street sought to be vacated, and

WHEREAS, the Common Council of the City of Whitewood caused a Notice of Hearing on said Petition to be published once a week for two successive weeks in the Black Hills Pioneer, a legal daily newspaper printed and published in Lawrence County, South Dakota, and the publication most likely to give notice to the public of the proposed vacation, and

WHEREAS, hearing was held before the Common Council in the Council Chambers in City Hall in the City of Whitewood, Lawrence County, South Dakota on the 21<sup>st</sup> day of April, 2025, at the hour of 5:30 o'clock P.M., and,

WHEREAS, no one appeared in opposition to the proposed vacation, and

WHEREAS, the Common Council of the City of Whitewood has concluded that the vacation of Custer Street would not deny access to any land within the City of Whitewood, and that portion of the street has never been used as a public street and is in the best interest of the City and the Petitioners, now, therefore,

BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF WHITEWOOD AS FOLLOW:

That that portion of Custer Street is hereby vacated according to the map which is attached hereto and incorporated by express reference.

BE IT FURTHER RESOLVED that the Finance Officer of the City of Whitewood is hereby authorized and directed to cause a certified copy of this Resolution to be recorded with the Register of Deeds of Lawrence County, South Dakota.

Dated this 21<sup>st</sup> day of April 2025.

CITY OF WHITEWOOD

Attest: BY: \_\_\_\_\_  
Mitchell U. Harmon, Mayor

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Cory C. Heckenlaible, Finance Officer

At this time, the Council and Mayor canvassed the election returns from the April 08, 2025, election.

Action 2025-049

Motion by Noren, second by Fitzgerald, to approve the April 08, 2025, election results for the three-year term of Aldermen for Ward I and Ward II as follows:

Aldermen Ward I	Randy Wiege	18
	Shelbi Bulat	25
Aldermen Ward II	Monica Burke	13
	Raymond Huseby	14

Therefore, the winners are Shelbi Bulat for Aldermen Ward I, and Raymond Huseby for Aldermen Ward II. Roll call, all members present voting yes, motion carried.

Action 2025-050

Motion by Davidson, seconded by Burke, to approve renewing the lease of City property with Adam Dodson for another year. The term to be May 1, 2025, to May 1, 2026. All members present voting yes, with Fitzgerald recusing, motion carried.

Action 2025-051

Motion by Wiege, seconded by Cooper, to approve releasing the TIFD funds being held in escrow, and pay to Sundance State Bank. Roll call, all members present voting yes, motion carried.

Action 2025-052

Motion by Noren, seconded by Fitzgerald, to upgrade the city's utility payments to Nuvei software for online payments. All members present voting yes, motion carried.

Action 2025-053

Motion by Burke, seconded by Davidson, to approve the special event liquor license for The Hideaway on May 17, 2025, at Hale Hall for the Chamber networking event. All members present voting yes, motion carried.

Action 2025-054

Motion by Noren, seconded by Burke to approve the following resolution. All members present voting yes, motion carried.

## **CITY OF WHITEWOOD**

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### **COMMUNITY DEVELOPMENT BLOCK GRANT**

#### **CODE OF CONDUCT RESOLUTION**

#### **RESOLUTION #2025-02**

**WHEREAS**, the purpose of this “CODE OF CONDUCT” is to ensure the efficient, fair and professional administration of Federal grant funds in compliance with applicable Federal and State standards, regulations and laws, and

**WHEREAS**, this “CODE OF CONDUCT” applies to the city council, officers, employees or agents of the City of Whitewood engaged in the award or administration of contracts supported by Federal grant funds, and

**WHEREAS**, no city council members, officers, employees or agents of the City of Whitewood shall participate in the selection, award or administration of a contract supported by Federal grant funds--if a conflict of interest (real or apparent) would be involved. Such a conflict would arise when: (a) members of the City council, City employee, officer or agent; (b) any member of his/her immediate family; (c) his/her partner, or (d) an organization which employs or is about to employ any of the above has a financial or other interest in the firm selected for award, and

**WHEREAS**, the city council, officers, employees or agents of the City of Whitewood shall neither select or accept gratuities, favors or anything of monetary value from contractors, potential contractors or subcontractors, and

**WHEREAS**, to the extent permitted by Federal, State or local laws or regulations, violation of these standards may cause penalties, sanctions or other disciplinary actions to be taken against the City of Whitewood council members, officers, employees or agents of Whitewood, or the contractor, potential contractors, subcontractors or their agents.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Whitewood adopts this “CODE OF CONDUCT” and affirms the *Code* as a policy of the City of Whitewood.

Dated this 21<sup>st</sup> day of April, 2025.

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Mitchell U. Harmon, Mayor

(SEAL)

ATTEST:

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Action 2025-055

Motion by Fitzgerald, seconded by Burke, to approve the following resolution. All members present voting yes, motion carried.

**CITY OF WHITEWOOD**

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**COMMUNITY DEVELOPMENT BLOCK GRANT**

**RESOLUTION ASSURING FAIR HOUSING**

**RESOLUTION NUMBER 2025-03**

**WHEREAS**, it is the firm belief of the City of Whitewood that discrimination in housing not only threatens the rights and privileges of its citizens, but also menaces the institutions and foundations of a free and democratic society, and

**WHEREAS**, the City of Whitewood desires to give meaning to the guarantees of equal rights contained in the Constitution and Laws of this State and the United States and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the country, and

**WHEREAS**, under Federal fair housing (*Title VIII of the Civil Rights Act of 1968*), it is illegal to deny housing to any person because of race, color, religion, sex or national origin,

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Whitewood makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.

**BE IT FURTHER RESOLVED**, that the Fair Housing and Equal Opportunity logo will be displayed in the City's buildings and on all official correspondence.

**BE IT FURTHER RESOLVED**, that the following procedures will be used to accomplish the purpose of the aforementioned resolution:

1. The City of Whitewood shall inform all its employees of the City's commitment to equal housing.
2. The City of Whitewood shall direct all employees to forward immediately to the Mayor reports they receive of housing discrimination.
3. The Mayor shall forward such complaints to the South Dakota Division of Human Rights within ten (10) days of receipt of said complaint.

Dated this 21<sup>st</sup> day of April, 2025.

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Mitchell U. Harmon, Mayor

(SEAL)

ATTEST:

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Action 2025-056

Motion by Burke, seconded by Noren, to approve the Community Development Block Grant Certification Regarding Restriction on Lobbying. All members present voting yes, motion carried.

Action 2025-057

Motion by Fitzgerald, seconded by Burke, to approve the Community Development Block Grant Excessive Force Policy. All members present voting yes, motion carried.

Action 2025-058

Motion by Davidson, seconded by Noren, to approve the Community Development Block Grant Equal Employment Opportunity Policy. All members present voting yes, motion carried.

Action 2025-059

Motion by Burke, seconded by Fitzgerald, to approve the representation letter and draft December 31, 2024, audit form Ketel Thorstenson LLP. All members present voting yes, motion carried.

Action 2025-060

Motion by Burke, seconded by Wiege, to approve the \$10,352 quote from Rasmussen Mechanical for a new furnace unit for Hale Hall. This will be paid from the 3<sup>rd</sup> cent fund. All members present voting yes, motion carried.

There being no further business, the meeting was adjourned at 6:16 PM.

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MITCHELL U. HARMON  
Mayor

Attest:

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CORY HECKENLAIBLE  
Finance Officer